

AK

Notice of Allowability

Application No.

09/747,124

Examiner

Hong Cho

Applicant(s)

BENDAK ET AL.

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed on 9/19/2005.
2. ☒ The allowed claim(s) is/are 2, 6-19, 23-38, and 42 (renumbered 1-32).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Allowable Subject Matter

1. Claims 2, 6-19, and 23-25 are allowable.

The following is an examiner's statement for reasons for allowance.

2. Claim 2 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest a method for scrambling communications formatted in a digital frame structure by forming superframes from a first plurality of frames, defining a scrambling structure, selectively seeding the scrambling structure, wherein selectively seeding the scrambling structure includes selectively initializing the scrambling structure with a seed mask, wherein selectively seeding the scrambling structure further includes selecting a seed mask every superfrmae, and wherein selectively seeding the scrambling structure further includes selecting a seed mask from a second plurality of seed masks, generating a selectable scrambling algorithm from the selectively seeded scrambling structure and scrambling communications in a frame using the selectable algorithm, wherein scrambling communications using the selectable scrambling algorithm includes scrambling the communications with a second plurality of scrambling algorithms.

Claim 19 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly teach or fairly suggest a method for programmably descrambling a multidimensional digital frame structure by receiving scrambled communications, wherein receiving scrambled communications includes receiving scramble communications superframes, with each superframe including frame synchronization bytes, defining a descrambled structure, selectively seeding the

descrambling structure, wherein selectively seeding the descrambling structure includes periodically changing the scrambling structure seed mask, wherein selectively seeding the descrambling structure further includes selecting a seed mask every superframe, generating a selectable descrambling algorithm responsive to the selective seeding of the descrambling structure, and descrambling the communications using the selectable descrambling algorithm, wherein descrambling communications using the selectable descrambling algorithm includes synchronously descrambling the communications in each superframe in response to the superframe frame synchronization bytes.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you


Art Unit: 2662

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

hc

Hong Cho
Patent Examiner
10/10/2005


JOHN PEZZLO
PRIMARY EXAMINER